

REMARKS

This response is being submitted in response to the final Office Action dated October 18, 2006, the time to respond being until January 18, 2007. This response raises no new issues and entry is respectfully requested. Claims 1-4, 6, 7, 9-11, 13, and 14 remain pending. Allowance of this application is respectfully requested.

Applicant appreciates the time taken by Examiner Devoti during the interview of January 5, 2007, in which the Examiner noted Applicant's remarks clarifying claim language thereby overcoming 35 U.S.C. 112 rejections made in the Office Action dated October 18, 2006.

The Examiner rejected claims 1 and 7 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention. Particularly, the Examiner contends that it is unclear whether claim 1 is directed towards an accent frame per se, or a combination of an accent frame and an inset article, finishing ring, and cutout. Examiner noted in Interview Summary dated 16 January 2007 that "Ms. Gadhia explained that the applicant intends to claim only an accent frame, not an accent frame in combination with an inset article, finishing ring, or cutout." Therefore, Examiner acknowledges that claims 1 and 7 particularly point and distinctly claim the invention, and hence are definite.

The Examiner rejected claims 1-4, 6-7, 9-10, 13-14 under 35 U.S.C. 103(a) as being unpatentable in view of U.S. Patent Nos. 5,975,853 to Lackey and 6,474,846 to Kelmelis, et al. The Examiner contends that Lackey '853 discloses an accent frame in the form of a rigid, plastic cover which has an aperture forming an inner edge corresponding in size to a cutout in a ceiling. The Examiner further contends that the Lackey '853 cover lacks a lap for positioning within a cutout of structure, but that Kelmelis '846 bridges the gap and discloses a framing member with

a lip extending from an aperture. Lackey '853 discloses a ceiling aperture cover including a shell and back panel that attach together via posts and fasteners. The exterior of the shell has a hub which fits within an aperture in the interior of the shell, wherein the hub attaches to a mounting plate attached to a junction box connected to the ceiling. A light fixture or ceiling fan is attached to the mounting plate after a *circular cover is wedged between the junction box and mounting plate*.

It is imperative to recognize that the present invention simply *frames an article inset within a cutout of a structure*, and utilizes only the finishing ring of the article to connect with the accent frame and cutout. The present invention is not a cover that attaches to a mounting plate for mounting a light fixture or ceiling fan. Rather, the present invention is an accent frame for an inset article wherein the frame utilizes its claimed structure to connect to the cutout and securely frame the inset article. Claim 1 specifically requires "accent frame comprising: a *rigid thin sheet of material larger in size than the finishing ring*" and "*said rigid thin sheet having an outer edge defining an object-shape and a convex inner edge defining an aperture having a lip for proper positioning with said cutout, wherein said cutout comprises slots and said finishing ring comprises expandable tension clips for insertion through said aperture and said slots thereby securing said frame in place between said finishing ring and about the cutout and against the structure*". It is essential that the rigid thin sheet of material is larger in size than a finishing ring and that the outer edge defines an object-shape, and the inner edge defines an aperture having a lip for proper positioning with cutout. It is this configuration which allows the claimed accent frame to *frame* an inset article and remain securely connected within the cutout. Additionally the unique outer edge is in the structural form of a physical object such as a star, flower, or house which infuses the accent frame with an aesthetic appearance. The Lackey '853 cover does not

disclose or suggest these essential claimed limitations. Furthermore, combining the finishing ring 41 of Kelmelis '846 with the Lackey '853 cover moves no closer in this regards. Thus claim 1 and likewise depending claims 2-4, 6, 7, 9, 10, 13, and 14 are patentably distinguished.

The Examiner rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over the Lackey '853 and Kelmelis, et al. '846 patents in view of U.S. Patent No. 6,152,413 to Gretz (integral electrical component mounting block). As stated *supra*, the combination of Lackey '853 and Kelmelis, et al. '846 patents fail to render claim 1 obvious, and the '413 patent to Gretz does not bridge the gaps in claim language. Since claim 11 depends on claim 1, claim 11 is likewise is patentably distinguished.

In view of the above, all pending claims 1-4, 6, 7, 9-11, 13, and 14 are believed to avoid all the rejections set forth in the Official Action and thus, the case should be in condition for allowance. A Notice of Allowance is respectfully requested, and the Examiner is invited to call the undersigned at 410.347.7303 to discuss any remaining issues.

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Respectfully submitted,



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